



### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

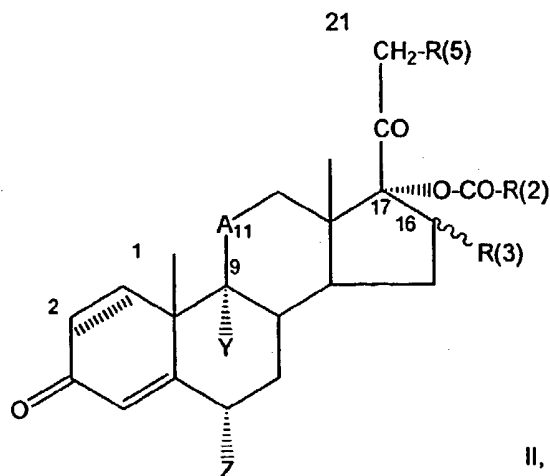
Authorization for this examiner's amendment was given in a telephone interview with Mr. Steven Scott on July 23, 2004.

The application has been amended as follows:

Claim 18 has been amended to read as follows:

18. A process for preparing a compound as claimed in claim 11, which comprises reacting

a) a compound of the formula II



in which R(5) is OH and the remaining substituents are as defined in claim 11,

a1) with an activated carboxylic acid of the formula III,  
$$R(6) - CO - (O)_n - [(C_1 - C_4) - \text{alkyl}]_m - R(1) \quad \text{III}$$

Art Unit: 1616

in which:

n is zero,

m is 1, and

(C<sub>1</sub>-C<sub>4</sub>)-alkyl and R(1) are as defined in claim 11, andR(6) is Cl, Br, O[-CO-(O)<sub>n</sub>[(C<sub>1</sub>-C<sub>4</sub>)-alkyl]<sub>m</sub>-R(1)]<sub>1</sub>-,-O-C(O)-CF<sub>3</sub>, or another activated acid radical, or

a3) with a carboxylic acid of the formula III itself, in which

R(6) is OH, and

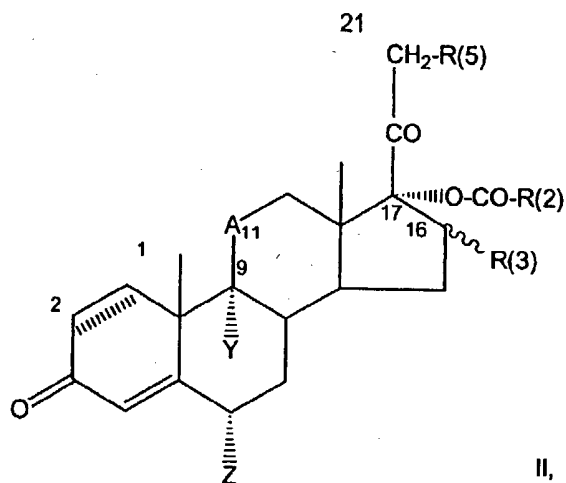
n is zero,

and the other substituents are given in formula III,

in the presence of a water-eliminating reagent,

or which comprises reacting

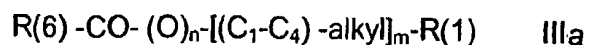
b) a compound of the formula II



in which R(5) is Br, I, or a sulfonic aryl ester group or sulfonic alkyl ester group, and the other substituents have the

Art Unit: 1616

meaning given in claim 11, with a salt of a carboxylic acid of the formula IIIa,



in which

R(6) is - [O<sup>-</sup>Me<sup>+</sup>], and

n is zero,

and the other substituents have the meanings given in formula III.

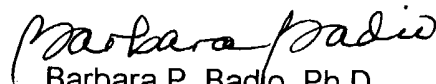
### ***Telephone Inquiry***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara P. Badio, Ph.D. whose telephone number is 571-272-0609. The examiner can normally be reached on M-F from 6:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary L. Kunz can be reached on 571-272-0887. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Barbara P. Badlo".

Barbara P. Badlo, Ph.D.  
Primary Examiner  
Art Unit 1616

BB  
July 23, 2004